

CONDITIONS OF APPROVAL

GENERAL / ON-GOING CONDITIONS

LAND USE SERVICES DEPARTMENT/PLANNING DIVISION (760) 243-8245

1. This **Conditional Use Permit** is for the establishment of a 2,032 square foot restaurant on 2.55 acres. Any alteration or expansion of these facilities or increase in the developed area of the site from that shown on the approved site plan may require submission of an additional application for review and approval.
2. In compliance with San Bernardino County Development Code Section 81.0150 (a-c), the applicant/owner shall agree to defend at his sole expense any action brought against the County, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the San Bernardino County Development Code. The applicant shall reimburse the County, its agents, officers or employees, for any court costs and attorney's fees which the County, its agents, officers may be required by court to pay as a result of such action. The County may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
3. This approval shall become null and void if all conditions have not been complied with and the occupancy or use of the land has not taken place within three (3) years of the date of approval. One extension of time, not to exceed three (3) years may be granted upon written request and submittal of the appropriate fee, not less than 30 days prior to the date of expiration. Please note that this will be the only notice given for the above specified expiration date. The applicant is responsible for the initiation of an extension request.
4. The applicant/owner shall ascertain and comply with requirements of all State, County and local agencies as are applicable to the project area. They include, but are not limited to: County Environmental Health Services, Public Works, Fire Department, and Building and Safety.
5. All conditions of this Conditional Use Permit are continuing conditions. Failure of the applicant and/or operator to comply with any or all of said conditions at any time shall result in the revocation of the permit granted to use the property.
6. The applicant/owner shall maintain all permanent plantings as identified on the approved landscape plan.

7. Parking and on-site circulation requirements shall be maintained.
 - a. Any occupancies that require additional parking not provided for through this Conditional Use Permit shall not be approved until a revision is submitted for review and approval showing the additional parking.
 - b. All markings to include parking spaces, Handicapped Parking designations, No Parking designations, and Loading Zone designations shall be clearly defined and said markings shall be maintained in good condition at all times.
 - c. All access drives shall be dustproofed in order to minimize the creation of airborne dust. Periodic maintenance of the dustproofing shall be required. All required parking and access drives shall be provided as indicated on the approved site plan.
8. Structure(s) shall incorporate interior and exterior water conservation measures (low-flow plumbing, water efficient landscaping, drip irrigation, minimization of turf areas, etc.) as required by County Code.
9. The restaurant will incorporate landscaping to buffer the project from adjacent residential parcels. Drought-tolerant landscaping adjacent to the front perimeter fence is required to provide a visual buffer to travelers on the scenic corridor, National Trails Highway.
10. In compliance with County Code, any lights used to illuminate the site shall be hooded and designed so as to reflect away from adjoining properties and public thoroughfares. Installation of outdoor light fixtures on site must be oriented to prevent offsite glare and installed in accordance with the approved site plan.
11. Any sign must be applied for and permitted according to County Development Code Chapter 7 Sign Regulations. Signs along a scenic corridor are limited to 18 square feet in size.
12. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.

DIVISION OF ENVIRONMENTAL HEALTH SERVICES (909) 387-4666

13. All refuse containing garbage shall be removed from the premises at least **2** times per week to an approved solid waste facility in conformance with San Bernardino County Code 33.081 et. seq. For information, call DEHS/LEA at (909) 387-4655.
14. Noise level shall be maintained at or below County Standards, Development Code Section 87.0905(b). For information, Call DEHS at (909) 387-4666.
15. The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. For information, call DEHS/Wastewater Section at (909) 387-4666.
16. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that visual, noise, or other impacts, and environmental

ENVIRONMENTAL MITIGATION MEASURES ARE BOLD

public health nuisances are minimized and complies with San Bernardino County Code Chapter 8, Section 33.081 et. seq. For information, call DEHS/Local Enforcement Agency (LEA) at (909) 387-4655.

PRIOR TO ANY LAND DISTURBANCE OR ISSUANCE OF GRADING PERMITS THE FOLLOWING CONDITIONS SHALL BE MET:

BUILDING AND SAFETY DIVISION (760) 241-7691 OR (909) 387-4246

17. Applicant must submit plans and obtain separate building permits for any required walls, retaining walls or trash enclosures.

SAN BERNARDINO COUNTY FIRE DEPARTMENT (909) 386-8400

18. Prior to any land disturbance, the water system shall be designed to meet the required fire flow of this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code.

The required Fire Flow for this project shall be **1500 GPM** for a **30 minute** duration at **20 PSI** residual operating pressure.

LAND DEVELOPMENT ENGINEERING - ROADS AND DRAINAGE (760) 243-8183

19. Adequate provisions shall be made to intercept and conduct the tributary drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties.

LAND USE SERVICES DEPARTMENT/PLANNING DIVISION (760) 243-8245

20. The applicant/owner shall process a Conditional Compliance Review through the County in accordance with the direction stated in the Conditional Approval letter, for verification of all conditions. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. NOTE: Sufficient funds must remain in the account to cover the charges during the Compliance Review.

PRIOR TO ISSUANCE OF BUILDING PERMITS THE FOLLOWING CONDITIONS SHALL BE MET:

DIVISION OF ENVIRONMENTAL HEALTH SERVICES (760) 243-8141 or (909) 387-4666

21. Water purveyor shall be EHS approved. Source of water shall meet water quality and quantity standards. Test results, which show source meets water quality and quantity standards shall be submitted to the Division of Environmental Health Services (DEHS). The operation of a public water supply system shall be subject to the condition that an entity or association acceptable to the DEHS assumes responsibility for maintenance and operation. For information, contact the Water Section at (909) 387-4666.

22. Method of sewage disposal shall be EHS approved. Existing septic system can be used if applicant provides certification from a qualified professional (i.e., Professional Engineer (PE), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (CEG), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function.
23. Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at (760) 243-3773.
24. Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Department of Environmental Health Services.
 - A. Lahontan Region, 15428 Civic Dr., Suite 100, Victorville, CA 92392, 760/241-6583.

LAND DEVELOPMENT ENGINEERING - ROADS AND DRAINAGE (760) 243-8183

25. An additional two feet (2') of dedication to equal a fifty-two foot (52') half-width right-of-way is required on National Trails Highway. A copy of the Grant Deed for all properties affected by this requirement must be submitted to the County Surveyor's Office prior to document preparation. Phone (909) 387-8145.

SAN BERNARDINO COUNTY FIRE DEPARTMENT (909) 386-8400

26. **Rural Water System** In areas without water serving utilities, the fire protection water system shall be designed by a Fire Protection Engineer in accordance with NFPA 1142 and shall be operational prior to rehabilitation of the existing structure. All NFPA 1142 systems shall provide an approved permanent rural water supply for fire fighting. Water supply systems can be mitigated with an approved NFPA 13 or 13R fire sprinkler system.
27. The San Bernardino County Fire Department protects the above referenced project. Prior to any construction or rehabilitation occurring on site, the applicant shall contact the Fire Department for verification of current fire protection development requirements. All new construction shall comply with the existing Uniform Fire Code requirements and all applicable statutes, codes, ordinances or standards of the Fire Department.
28. Not less than two (2) complete sets of Building Plans shall be submitted to the Fire Department for review and approval.
29. An automatic hood and duct fire extinguishing system is required. A Fire Department approved designer/installer shall submit four (4) sets of detailed plans (minimum 1/8" scale) with manufacturers' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

BUILDING AND SAFETY DIVISION (760) 241-7691 or (909) 387-4246

30. Applicant shall submit professionally prepared plans showing the following items:
- A. Disabled access requirements
 - B. Exiting requirements
 - C. Floor loads
 - D. Setback and exterior wall protection
 - E. Septic system location and size
 - F. Light and ventilation requirements
 - G. Any proposed remodeling of buildings
 - H. A fully dimensioned floor plan
 - I. Provide a letter of intent describing the specific uses of all areas of the building
 - J. Necessary energy calculations
30. Provide all van accessible parking spaces for the disabled. One (1) in every eight (8) accessible spaces, but not less than one (1), shall be served by an access aisle ninety-six inches (96") wide and shall be designated van accessible.

LAND USE SERVICES DEPARTMENT/PLANNING DIVISION (760) 243-8245

31. The applicant/owner shall provide three (3) copies of a landscape and irrigation plan (prepared by a licensed landscape architect) showing the size, type, and location of all plant material. Landscaping shall provide buffering for adjacent residentially zoned parcels. Landscaping along the front perimeter fence will also act as a visual buffer for the travelers on the scenic highway, National Trails Highway. Indigenous plant material shall be utilized to minimize water consumption. Said plan shall incorporate a permanent automatic irrigation system and all landscaping shall be maintained in good condition at all times. The landscape and irrigation plans shall include the following:
- A. Voltage boxes, mailboxes, trash enclosures, maintenance structures, backflow devices, automatic controls, air conditioning/heating units, etc. shall be screened with landscaping and/or decorative fencing/trim.
 - B. Clearly delineate parking area boundary landscaping/screening.
 - C. Irrigation shall be by drip, mister or other non-aerial water serving method or system.
 - D. Parking areas shall be screened with landscaping where practical.

PRIOR TO ISSUANCE OF FINAL OCCUPANCY PERMITS OR USE THE FOLLOWING CONDITIONS SHALL BE MET:**SAN BERNARDINO COUNTY FIRE DEPARTMENT (909) 386-8400**

32. Prior to final inspection, commercial and industrial street address numbers shall be posted, on the building, with a minimum six inches (6") in height by three fourth inch (3/4") stroke width and shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated. Where building setback exceeds two hundred feet (200') from the roadway, additional non-illuminated contrasting six inch (6") numbers shall be displayed at the property access entrances.

33. Prior to final inspection or occupancy, hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

**SAN BERNARDINO COUNTY FIRE DEPARTMENT/HAZARDOUS MATERIALS DIVISION
(909) 386-8401**

36. Prior to occupancy, operator shall submit a Business Emergency/Contingency Plan detailing the plan for emergency release or threatened release of hazardous materials and wastes or a letter of exemption. Contact County Fire Department/Hazardous Materials Division/Emergency Response and Enforcement Section at (909) 386-8401.
37. Prior to occupancy, applicant shall be required to apply for one or more of the following: a Hazardous Materials Handler Permit, an Aboveground Storage Tank Permit, an Underground Storage Tank Permit, and/or a Hazardous Waste Generator Permit. For information, call County Fire Department/Hazardous Materials Division/Field Services Section at (909) 386-8418.

LAND DEVELOPMENT ENGINEERING - ROADS AND DRAINAGE (760) 243-8183

38. Construct driveway approach/entrance on National Trails Highway per San Bernardino County standard. Obtain permit from San Bernardino County Transportation Department - Permit Section, (909) 387-8046.

LAND USE SERVICES DEPARTMENT/PLANNING DIVISION (760) 243-8245

39. All access drives shall be dustproofed in order to minimize the creation of airborne dust as noted on the approved site plan.
40. Parking and on-site circulation requirements shall be provided for as identified on the approved site plan.
41. All landscaping shown on the approved landscaping plan shall be completed. A licensed landscape architect shall certify, in writing, that the landscaping and irrigation have been installed in accordance with the approved plan.
42. All roof top mechanical equipment is to be screened from ground vistas.
43. Prior to final inspection by Building and Safety Division and/or issuance of a Conditional Use Permit by the Planning Division, all fees required under actual cost job number **12324CF1** shall be paid in full.
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